

**LOUISIANA STATE BAR ASSOCIATION
BAR GOVERNANCE COMMITTEE
RESOLUTION PROPOSING ADOPTION OF GERMANE POLICIES TO
THE HOUSE OF DELEGATES**

WHEREAS, the Bar Governance Committee recognizes that the Louisiana State Bar Association is bound by Louisiana Supreme Court Rule XVIII, Section 6, as amended September 14, 2021; and

WHEREAS, the House of Delegates is the policy-making body of the Association pursuant to its Articles of Incorporation, article VIII Section 1; and

WHEREAS, the House of Delegates may enact general policies of the Association that are constitutionally germane to its legitimate purposes, consistent with Louisiana Supreme Court Rule XVIII, Section 6; and

WHEREAS, the Association further intends to comply with all binding U.S. Supreme Court and U.S. Fifth Circuit precedent including *Lathrop v. Donohue*, 367 U.S. 820 (1961), *Keller v. State Bar of California*, 496 U.S. 1 (1990), *McDonald v. Longley*, 4 F.4th 229 (5th Cir. July 2, 2021), and *Boudreaux v. Louisiana State Bar Ass'n*, 3 F.4th 748 (5th Cir. July 2, 2021) and limit its activities to those that are constitutionally germane to its legitimate purposes; and

WHEREAS, no policy of the House of Delegates shall be interpreted to exceed the limits set forth in Louisiana Supreme Court Rule XVIII, Section 6 and existing precedent or subsequent precedent, and that any policy found to exceed such limits shall be considered null and without effect;

NOW THEREFORE BE IT RESOLVED that the Bar Governance Committee proposes to the House of Delegates the following policies to be general policies of the Association in accordance with its Articles of Incorporation, article VIII Section 1; consistent with Louisiana Supreme Court Rule XVIII, Section 6, these are not to be considered policies related to any legislation that may or may not be proposed, said function now delegated exclusively to the Board of Governors:

1. The Association supports the protection of the attorney-client privilege and work product doctrine as critical to an effective attorney-client relationship and as necessary to facilitate open communication with clients as set forth in the Rules of Professional Conduct.

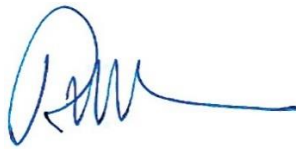
2. The Association opposes any effort to tax legal services in Louisiana as placing a burden on client access to legal services and potentially invasive of the attorney-client privilege.

3. The Association supports initiatives to assist low-income Louisianians with access to justice, including programs offering legal aid and pro bono services to Louisianians who cannot afford those services.

4. The Association supports fair and adequate compensation for members of the state judiciary.
5. The Association opposes the unauthorized practice of law by unlicensed persons.
6. The Association supports diversity within the legal profession;

NOW THEREFORE BE IT RESOLVED that the Bar Governance Committee proposes to the House of Delegates that the aforementioned general policies be adopted.

Respectfully submitted:
2021-2022 Bar Governance Committee



Robert A. Kutcher, Chair

Robert L. Bussey
Preston J. Castille, Jr.
Joseph L. Caverly
David L. Colvin
Renee Chabert Crasto
James J. Davidson III
S. Guy deLaup
Stephen I. Dwyer
Val P. Exnicios
Larry Feldman, Jr.
Darryl J. Foster
Edmund J. Giering IV
Barry H. Grodsky
Carrie LeBlanc Jones
Richard K. Leefe
C.A. "Hap" Martin III

Kevin R. Molloy
John H. Musser IV
Darrel J. Papillion
Michael A. Patterson
H. Minor Pipes III
Dona Kay Renegar
Valerie T. Schexnayder
Christopher J. Sellers, Jr.
Joseph L. Shea, Jr.
Ronald J. Sholes
Ann S. Siddall
Lawrence P. Simon, Jr.
Patrick A. Talley, Jr.
Bradley J. Tate
Tavares A. Walker
Phillip A. Wittmann

APPROVED BY HOUSE OF DELEGATES & BOARD OF GOVERNORS
JANUARY 22, 2022
BATON ROUGE, LA